rights of confrontation and cross-examination. Here, however, the Court of Claims short-circuited the hearing and made its findings from inapplicable evidence not of record. The Solicitor General, instead of acknowledging the fictional basis for the Court of Claims decision in this case, as legal craftsmanship should recommend, has compounded the fiction by stating as fact that which the Court of Claims (as far afield as it was) only inferenced —and this from evidence not of record.

We thus have a case where the petitioner has been denied his day in court on the basis of matter not in evidence and which, were it in evidence, would completely demonstrate the fallacies of the findings by the Court of Claims.

Such perversion of due process should not be overlooked. The case should be returned to the Court of Claims so that the petitioner may have his day in Court.

The decision of the Court of Claims and argument of the Solicitor General have a disturbing Alice-in-Wonderland quality. If a reviewer in some future age should find the situation incredible, it is earnestly hoped that it will be considered as merely an atypical incident, not a symptom of the times.

Respectfully submitted,

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